

REMARKS

Claims 1-3, 5-7, 19, and 21-26 are currently pending in the application. Claims 1, 19, 24 and 26 are independent. Claims 31-35 are withdrawn. Claims 4, 8-18, 20 and 27-40 are canceled.

Applicants would like to thank the Examiner for the indication of allowable subject matter with respect to claims 4, 20, 24 and 26. Pursuant to the indication of allowable subject matter, Applicants have amended claim 1 to include the allowable subject matter of claim 4. Additionally, applicants have amended claim 19 to include the allowable subject matter of claim 20. Further, Applications have amended allowable claims 24 and 26 to include all of the limitations of their base claim.

Objections to the Drawings

The Office Action objects to the drawings because claim 3 recites a “first supercharger housing element” and a “second supercharger housing element”. Applicants have amended claim 3 to recite a “primary gear housing section” and a “removable gear housing section” rather than a “first supercharger housing element” and a “second supercharger housing element”. The language of the amended claim elements is consistent with the language used in the originally filed specification.

Objections to the Specification

The Office Action objects to the specification for failing to provide proper antecedent basis for a “first supercharger housing element” and a “second supercharger housing element”.

As discussed above, Applicants have amended claim 3 to recite a “primary gear housing section” and a “removable gear housing section” rather than a “first supercharger housing element” and a “second supercharger housing element”. The language of the amended claim elements is consistent with the language used in the originally filed specification.

Rejection Under 35 U.S.C. § 112, first paragraph

Claim 19 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement due to the recitation of the “re-engagement” between the impeller and the pulley drive. Applicants have amended claim 19 to recite that the disengagement device permits “selective” disengagement (rather than “re-engagement”) between the impeller and the drive pulley. This language is consistent with the language used in the originally filed specification.

Rejection Under 35 U.S.C. § 112, second paragraph

Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for reciting a “first supercharger housing element” and a “second supercharger housing element”. As discussed hereinabove, Applicants have amended claim 3 to recite a “primary gear housing section” and a “removable gear housing section” rather than a “first supercharger housing element” and a “second supercharger housing element”. The language of the amended claim elements is consistent with the language used in the originally filed specification.

Rejections Under 35 U.S.C. § 102

1. Claims 1-3, 8 and 15 are rejected under 35 U.S.C. § 102(b), as being anticipated by Ishii et al. U.S. Patent No. 6,604,359 (“Ishii”).

Claims 8 and 15 have been canceled.

Claim 1 has been amended to include the allowable subject matter of claim 4.

In view of the above, claims 1-3 and 5-7 are believed to be in condition for allowance.

2. Claims 19 and 21-22 are rejected under 35 U.S.C. § 102(b), as being anticipated by Smith U.S. Patent No. 5,168,972 (“Smith”). Claims 19 and 21-23 are also rejected under 35 U.S.C. § 102(b), as being anticipated by Roberts U.S. Patent No. 4,145,888 (“Roberts”).

Claim 19 has been amended to include the allowable subject matter of claim 20.

In view of the above, claims 19, 21-23 and 25 are believed to be in condition for allowance.

3. Claims 27-30 are rejected under 35 U.S.C. § 102(b), as being anticipated by Allen et al. U.S. Patent No. 6,449,950 (“Allen”).

Claims 27-30 have been canceled, thereby rendering the rejection moot.

4. Claims 36 and 37 are rejected under 35 U.S.C. § 102(b), as being anticipated by Zinsmeyer U.S. Patent No. 4,611,969 (“Zinsmeyer”).

Claims 36 and 37 have been canceled, thereby rendering the rejection moot.

Rejection Under 35 U.S.C. § 103

1. Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Horler U.S. Patent No. 4,541,784 (“Horler ‘784”).

Ishii is distinguished from the present invention as set forth above with respect to claim 1. Horler ‘784 fails to cure the deficiencies of Ishii. For this reason, Ishii in view of Horler ‘784 does not render obvious claims 5 and 6.

2. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Horler U.S. Patent No. 4,752,193 (“Horler ‘193”).

Ishii is distinguished from the present invention as set forth above with respect to claim 1. Horler ‘193 fails to cure the deficiencies of Ishii. For this reason, Ishii in view of Horler ‘784 does not render obvious claims 5 and 6.

3. Claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Obara U.S. Patent No. 6,464,400 (“Obara”).

Claims 9-11 have been canceled, thereby rendering the rejection moot.

4. Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Troyer U.S. Publication No. 2003/0145656 (“Troyer”).

Claim 12 has been canceled, thereby rendering the rejection moot.

5. Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Smith.

Claim 13 has been canceled, thereby rendering the rejection moot.

6. Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Middlebrook U.S. Patent No. 6,293,263 (“Middlebrook”).

Claim 14 has been canceled, thereby rendering the rejection moot.

7. Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Hall et al. U.S. Patent No. 6,604,359 (“Hall”).

Claim 16 has been canceled, thereby rendering the rejection moot.

8. Claims 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishii in view of Buhr U.S. Patent No. 2,068,594 (“Buhr”).

Claims 17 and 18 have been canceled, thereby rendering the rejection moot.

9. Claim 25 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith/Roberts in view of Man et al. U.S. Publication No. 2002/0117860 (“Man”).

Smith and Roberts are distinguished from the present invention as set forth above with respect to claim 19. Man fails to cure the deficiencies of Smith and Roberts. For this reason, Smith/Roberts in view of Man does not render obvious claim 25.

10. Claims 38 and 39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zinsmeyer.

Claims 38 and 39 have been canceled, thereby rendering the rejection moot.

11. Claim 40 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Zinsmeyer in view of design choice.

Claim 40 has been canceled, thereby rendering the rejection moot.

Conclusion

Based on the foregoing, favorable reconsideration and allowance of the claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-0683 for any additional required fees.

Respectfully submitted,

Date

4/18/2005

David E. Heisey

Attorney for Applicant(s)

Reg. No. 42,651

c/o

LUCE, FORWARD, HAMILTON
& SCRIPPS LLP

600 West Broadway, Suite 2600

San Diego, California 92101

Telephone No.: (619) 233-2984

2060813.1